

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

RAW STORY MEDIA, INC., ALTERNET  
MEDIA, INC.,

Plaintiffs,

v.

OPENAI, INC., OPENAI GP, LLC,  
OPENAI, LLC, OPENAI OPKO LLC,  
OPENAI GLOBAL LLC, OAI  
CORPORATION, LLC, and OPENAI  
HOLDINGS, LLC,

Defendants.

Case No. 1:24-cv-01514-CM-OTW

**DEFENDANTS’ NOTICE OF SUPPLEMENTAL AUTHORITY  
IN SUPPORT OF OPENAI’S OPPOSITION TO PLAINTIFF’S MOTION  
FOR LEAVE TO AMEND COMPLAINT**

Defendants OpenAI, Inc., OpenAI GP, L.L.C., OpenAI, L.L.C., OpenAI OpCo, L.L.C., OpenAI Global, L.L.C., OAI Corporation, L.L.C., and OpenAI Holdings, L.L.C. (collectively, “OpenAI”), by and through counsel, respectfully submit this Notice of Supplemental Authority to apprise the Court of a recent order that further supports OpenAI’s Opposition to Plaintiff’s Motion for Leave to Amend Complaint (ECF 122).

In *Concord Music Group, Inc. et al v. Anthropic PBC*, No. 5:24-cv-03811 (N.D. Cal.), a case involving copyright infringement and DMCA claims against another generative AI company, the plaintiffs alleged that defendant Anthropic “intentionally removed or altered copyright management information from [plaintiffs’] musical compositions, and/or distributed or imported for distribution copies of [plaintiffs’] musical compositions knowing that copyright management information has been removed or altered,” in violation of 17 U.S.C. § 1202(b). *See* Complaint, *Concord Music Group*, No. 5:24-cv-03811, ECF 1 ¶149 (attached hereto as Exhibit 1). On March

26, 2025, the United States District Court for the Northern District of California dismissed plaintiffs' Section 1202(b)(1) and Section 1202(b)(3) claims with leave to amend. *See* Order Granting Motion to Dismiss with Leave to Amend, *Concord Music Group*, No. 5:24-cv-03811, ECF 322 at 9-12 (attached hereto as Exhibit 2). In so doing, the Court found that plaintiffs had failed to allege "specific facts that reflect Anthropic's intentional removal of CMI or that it was on notice that CMI had been removed." *Id.* at 10. The court concluded that, although plaintiffs "plausibly allege that the output omits the CMI regarding the [w]orks, they have not sufficiently pled that Anthropic acted intentionally as to the removal of CMI." *Id.*

Dated: April 2, 2025

Respectfully Submitted,

By: /s/ Allison S. Blanco

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